

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAMES SHECKLER,

Petitioner,

v.

Case No. 06-12280
Honorable Patrick J. Duggan

H.J. MARBERRY,

Respondent.

**OPINION AND ORDER GRANTING RESPONDENT'S MOTION TO DISMISS
PETITION FOR WRIT OF HABEAS CORPUS AND DISMISSING PETITION**

At a session of said Court, held in the U.S.
District Courthouse, Eastern District
of Michigan, on February 14, 2008.

PRESENT: THE HONORABLE PATRICK J. DUGGAN
U.S. DISTRICT COURT JUDGE

On May 19, 2006, Petitioner James Sheckler filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. Petitioner, who was then confined at the Federal Correctional Institution in Milan, Michigan, challenged the Bureau of Prisons' denial of his request for a sentence reduction following his successful completion of a drug treatment program in accordance with 18 U.S.C. § 3621(e)(2)(b). In a motion filed on April 10, 2007, Respondent informs the Court that the Bureau of Prisons reversed its original decision denying Petitioner's request and released Petitioner from custody on March 19, 2007. Respondent therefore argues that Petitioner's application for a writ of habeas corpus is moot and should be dismissed. Petitioner did not respond to the motion.

As the Bureau of Prisons has reversed the decision that Petitioner challenges in his application for a writ of habeas corpus and Petitioner no longer is in custody, this Court agrees with Respondent that the petition is moot.

Accordingly,

IT IS ORDERED, that Respondent's motion to dismiss is **GRANTED** and Petitioner's application for a writ of habeas corpus is **DISMISSED**.

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

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